

### **Remarks**

This communication is considered fully responsive to the Office Action. Claims 1-21 were examined. Claims 1-21 stand rejected. Claims 1, 5, 8, and 15 are amended. Claims 2, 4, 9, and 11-13 are canceled. New claims 22-25 have been added. Reexamination and reconsideration of the pending claims are respectfully requested.

### **Claim Amendments**

Claims 1 and 8 are amended and claims 2, 4, 9, and 11-13 are canceled without prejudice to the subject matter contained therein to address the Section 101 rejection. Claim 5 is amended for proper dependency after canceling claim 4. Claim 15 is amended to correct a minor typographical error.

### **Claim Rejections - 35 U.S.C. 101**

The Office Action rejected claims 1-14 under 35 U.S.C. 101 as being directed to non-statutory subject matter. The Office Action simply states that "Applicant is trying to gain patent protection on a seemingly patentable method in claims 1 and 8. However, the method claims are non-statutory since the language in the body of the claims is not tied to an apparatus, machine or transforming article or material. The Examiner suggested amending the claims to include the structure associated with the function in method claims 1 and 8. Claims 2-7 and 9-14 were rejected because of their dependency on a rejected claim.

Applicant appreciates the Examiner's suggestion and has amended the claims accordingly, incorporating structure from the dependent claims. Applicant respectfully requests the Examiner to telephone the below-listed attorney if further amendment is necessary in this regard so that any such amendment can be discussed and entered by Examiner Amendment in order that an official office action need not be mailed.

**Claim Rejections - 35 U.S.C. 102(b)**

The Office Action rejected claims 8-21 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,715,279 to Pavlovic et al. ("Pavlovic"). Applicant respectfully traverses this rejection.

Pavlovic discloses a digital printing system including a plurality of decomposers that operate simultaneously and independently to output page images of decomposed data at random times. The output page images are retained in a buffer until requested by a marker which controls the printer hardware. A buffer manager records where in the buffer each page is stored so that the necessary page images can be reassembled for printing. See, e.g., Abstract.

On the other hand, Applicant's claims are directed to processing a print batch, wherein characteristics of the print jobs in the print batch are evaluated to independently determine (1) a pick order (e.g., order which print media or paper is selected), (2) a transfer order (order which the print jobs pooled in the formatter are transferred to the imaging component), and (3) a delivery order (e.g., order which the final finished or physically imaged pages are to be formed and delivered to the print engine for output at

the print tray). The print jobs within the print batch do not need to be reassembled or reordered for printing and therefore increase efficiency of processing each print job.

Specifically, claim 8 is amended to recite “evaluating by an imaging component characteristics of said print batch to independently determine a pick order to increase efficiency of picking media sheets; . . . evaluating by the imaging component said characteristics to independently determine a transfer order of said print jobs to increase efficiency of transferring said print jobs from said formatter to an imaging component; . . . evaluating by the imaging component said characteristics to independently determine a delivery order of said media sheets to increase efficiency of delivering said media sheets.” Pavlovic teaches against “independently determining” to “increase efficiency” because Pavlovic is based on the information specified in the job description.

For at least the foregoing reasons claim 8 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 8.

Claims 9-14 depend from claim 8, which is believed to be allowable. Therefore, claims 9-14 are also believed to be allowable for at least the same reasons as claim 8. Withdrawal of the rejection of claims 9-14 is respectfully requested.

Claim 15 includes similar recitations as discussed above for claim 8. In addition, claim 15 further recites “such that the picking order, the transfer order, and the delivery order are each distinct from one another.” There is no disclosure in Pavlovic that the picking order, the transfer order, and the delivery order are each distinct from one another. To the contrary, each of the orders in Pavlovic is determined by the page order in the job description.

For at least the foregoing reasons claim 15 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 15.

Claims 16-18 depend from claim 15, which is believed to be allowable. Therefore, claims 16-18 are also believed to be allowable for at least the same reasons as claim 15. Withdrawal of the rejection of claims 16-18 is respectfully requested.

Claim 19 recites “means for independently determining a pick order, independently determining a transfer order, and independently determining a delivery order based on said characteristics, wherein the picking order, the transfer order, and the delivery order are either distinct from one another or the same as one another” (emphasis added). Pavlovic does not disclose or suggest at least these recitations as discussed above for claim 15.

For at least the foregoing reasons claim 19 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 19.

Claims 20-21 depend from claim 19, which is believed to be allowable. Therefore, claims 20-21 are also believed to be allowable for at least the same reasons as claim 19. Withdrawal of the rejection of claims 20-21 is respectfully requested.

**Claim Rejections - 35 U.S.C. 103(a)**

The Office Action rejected claims 1-7 under 35 U.S.C. 103(a) as being unpatentable over Pavlovic in view of U.S. Patent No. 7,092,117 to Kageyama et al. ("Kageyama"). Applicant respectfully traverses this rejection.

Claim 1 recites "independently determining a pick order, independently determining a transfer order, and independently determining a delivery order based, at least in part, on said characteristics, such that the picking order, the transfer order, and the delivery order are each distinct from one another" (emphasis added). Pavlovic does not teach or suggest at least these recitations, as discussed above for claim 15. Nor does Kageyama supply support for the missing recitations in Pavlovic.

In addition, claim 1 is amended to recite "outputting said plurality of print jobs without having to reorder the print jobs within the print batch." Pavlovic has to reassemble or reorder the separately processed portions of each print job before printing or Pavlovic would not output the desired print jobs. Applicant is not concerned with reassembling anything because the print jobs are distinct within the print batch.

For at least the foregoing reasons claim 1 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 1.

Claims 2-7 depend from claim 1, which is believed to be allowable. Therefore, claims 2-7 are also believed to be allowable for at least the same reasons as claim 1. Withdrawal of the rejection of claims 2-7 is respectfully requested.

**Conclusion**

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter.

Respectfully Submitted,

/Mark D. Trenner/

Dated: March 12, 2009

By: \_\_\_\_\_

Mark D. Trenner  
Reg. No. 43,961  
(720) 221-3708